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Published: April 8, 2015

Travis County Sheriff

Inmate Information

MASCITTI, JOHN GUIDO

Date of Birth: 5/6/1966

Booking Number: 1512912 **Booked:** 4/5/2015 00:46

Arresting Agency: AUSTIN POLICE DEPT **Offense #:** A150941986

Facility: TRAVIS COUNTY JAIL

Charge (1)

OUT OF COUNTY FELONY

-- Cause Number: F1523687

Charge Authority: HOLD FOR ANOTHER AGENCY

Bond: \$25,000.00 ANY TYPE OF BOND

Sentenced to 0 days 0 months

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Complaint Against John Mascitti, TDCJ # 627154


TO: Texas Board of Pardons and Paroles
FROM: Mark Walters
DATE: John Mascitti, TDCJ #627154
SUBJECT: Harassing and threatening text messages from Mascitti

- Mr. Mascitti was released from TDCJ around August, 2014
- Mr. Mascitti was initially released to the Austin, Texas area
- Mr. Mascitti had his parole revoked and after a hearing, he was reinstated and transferred to the Dallas Halfway House
- After being transferred to Dallas, I started receiving harassing and threatening text messages, emails, telephone calls and Face Book postings from Mascitti. Copies of this information were delivered to the Austin parole office in January, 2015.
- Mascitti was asked to cease all forms of communications with me by his then parole officer Kevin Clayton, of the Dallas Region.
- A criminal complaint was made with the Austin Police Department in case number 145052051, for harassment. Detective Hitzlberg, who is the detective in charge, can be contacted at 512-974-5547
- On Friday, March 6, 2015, I was informed by another person who Mascitti has also harassed, that he was coming to Austin
- I contacted Mascitti's PO in Dallas to try and get confirmation as to his whereabouts
- No confirmation was given to me prior to the weekend
- On March 10, 2015, I received a text message at 3:14 p.m. from Mascitti saying "see you soon."
- On March 10, 2015, at 4:07 p.m. I received a text message from Mascitti saying "the truth will set you free"
- On March 11, 2015, at 12:46 a.m. I received another text message from Mascitte saying "come outside."
- On March 11, 2015, at 12:46 a.m., the prior text was followed up with another say "Hey"
- On March 11, 2015, I received a text from Mascitti saying "Boo"
- The telephone number delivering these text is 469-661-5655
- This is the same number that Janice Oeffener, and Dana Olivas, have used to verbally communicate with Mascitti

- This continued harassment by John Mascitti and violation of Parole Officer Kevin Clayton direct order to cease all contact with me has caused me to be paranoid, and constantly on guard of an assault by Mr. Mascitti. The Parole Division has been made aware of Mascitti's unstable condition, his consistent abuse of alcohol and drugs while on parole, his driving without a license, and his overall erratic behavior makes him a danger to the public. Mascitti needs greater supervision, and or, an in treatment program for him to address his mental instability, and drug and alcohol abuse.

"My name is Mark Walters, my date of birth is March 2, 1971, and my address is 3605 Steck Avenue, Unit 1107, Austin, Travis County, Texas 78759. My Mailing address is P.O. Box 28072, Austin, Texas 78755. I declare under penalty of perjury that the above and foregoing is true and correct.

Executed in Travis County, State of Texas, on the 12th day of March, 2015.

A handwritten signature in black ink, appearing to read "Mark Walters", followed by a horizontal line.

Mark Walters
Declarant"



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January 5, 2015

Kevin Clayton, Parole Officer
c/o Texas Pardons and Parole Division
1010 Cadiz Street #105A
Dallas, TX
(214) 428-0901

Re: John Mascitti, TDCJ #627154

Mr. Clayton,

Pursuant to our conversation the week of December 29, 2014, I am delivering to the Austin Parole Office the documents that I have received or that have been received by others, that have caused me alarm from parolee John Mascitti. I find these communications disturbing, harassing, and threatening.

A criminal complaint has been filed with the Austin Police Department for harassment, in case number 145052051. After consulting with the detective who is working the case, we are prepared to let the Parole Division handle this matter at this time. If Mr. Mascitti is re-incarcerated due to the criminal complaint or if he ceases his threatening and harassing actions, it is unnecessary for a warrant to be issued for his arrest here in Travis County. Moreover, I have petitioned the Travis County Attorney's Office to have a protective order put in place in a civil matter, keeping Mr. Mascitti from approaching me or any further harassment of me.

The issue that I have, is that parolees like prisoners, work together. I continue to receive hang-up calls from several Dallas numbers along with one-word texts. This I cannot place definitively on Mr. Mascitti, but it was not until he was transferred to the halfway house in Dallas, I never before received this form of harassment.

Please keep me updated as to the actions that the BPP is going to take in regards to this issue. City and County resources are scarce, both in time and money, and I do not want to further burden local authorities with this issue if the Parole Division has adequately handled this matter.

If you have any questions or concerns, regarding the information and documents that I have provided, please let me know.

Thank you for your time and assistance.

Sincerely,

Mark Walters



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HOUSE CORRECTIONS COMMITTEE

APRIL 9, 2015

HB- 3303

- John Mascitti was released by TDCJ in August, 2014 to MS, assigned to the Austin Parole District, and required to wear an ankle monitor
- In November, 2014, Mascitti was detained in the Travis County Jail on a pre-hear warrant for failing to report to his PO
- Mascitti was given a hearing and released from Travis County Jail at 9 p.m. on a Thursday night, having no place to live, and without being re-installed without an ankle monitor
- After I receive a phone call from him, I picked him up the Travis County Correctional Complex and immediately sent emails to Senator Whitmire's staff informing them of the Parole Division's decision to release a man to the streets, without supervision, on a 25 degree night
- Senator Whitmire's staff, early the next morning made calls to members of the Parole Board to inquire how a man who is on parole and should be wearing an ankle monitor, is unexpectedly released from confinement with no instructions from the parole division as to where to go, where to report, or any financial assistance whatsoever
- Mascitti was placed on a bus and transferred to a halfway house in Dallas after this massive foul up with his release was brought to the attention of a legislative member
- Mascitti, who suffers from mental health issues, began to harass me with unwarranted text messages, emails and phone calls.
- His Dallas PO was informed of the harassment, but nothing came of it.

- A criminal complaint was filed with APD regarding the harassment
- The parole division was made aware of the criminal complaint, but did not remove Mascitti from the streets
- Four months later, and after two affidavits were provide to the Austin Parole office with instructions to send them to Dallas and Mascitti's PO, Mascitti was still on the street
- During this four month period, I made no fewer than 10 phone calls to Mascitti's PO, the PO's supervisor, Mr. Brooks, and to Director Jenkins office, seeking assistance with this consistent harassment
- No action was taken by the Parole Division to control Mascitti, or take him off of the streets.
- On or around April 1, 2015, Mascitti kidnapped and assaulted a woman in Garland, Texas
- On April 5, 2015, Mascitti was apprehended in Austin, and is awaiting transfer back to Garland and Dallas County to face these new charges
- A call to Mascitti's PO and the PO's supervisor this week confirmed that they did not know of the new charges against Mascitti, or that he was being held in the Travis County Correctional Center
- Passage of HB 3303 will give support to the general public's interest that true and impartial investigation will take place for allegations to the mismanagement, blundering, and total failure of TDCJ and the Parole Division